

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

Christina Fennell,

Plaintiff

v.

Navient Solutions, LLC,

Defendant

Case No. 2:22-cv-01013-CDS-NJK

**Order Directing Parties to Provide
Future Status Report**

In the parties' latest status report, they indicate that the arbitrator determined that plaintiff Christina Fennell's claims alleging violations of the FDCPA, NDTPA, and unjust enrichment are subject to mandatory arbitration. ECF No. 89 at 1. However, because the arbiter cannot adjudicate Fennell's claims related to the Colorado bankruptcy court's discharge of loans or the discharge injunction, the arbitration was stayed pending a determination by the bankruptcy court. *Id.* at 1–2. The report further provides that the plaintiff is pursuing her options with the bankruptcy court. *Id.* at 2. Because it is unclear whether all the plaintiff's claims must be resolved in arbitration, and therefore subject to dismissal, this matter will remain stayed.¹ The parties must provide a fifth joint status report by June 6, 2025, or within seven days of the determination by the bankruptcy court, whichever is sooner.

Dated: February 20, 2025


Cristina D. Silva
United States District Judge

¹ A district court may either stay the action or dismiss it outright when the court determines that all the claims raised in the action are subject to arbitration. *Johnmohammadi v. Bloomingdale's, Inc.*, 755 F.3d 1072, 1074 (citing *Sparling v. Hoffman Constr. Co.*, 864 F.2d 635, 638 (9th Cir. 1988)).